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**MEMO ENDORSED**

February 28, 2011

Honorable Kenneth M. Karas  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

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Re: *Russo v. Dimilia, et al.*  
Docket No.: 07 Civ. 5795 (KMK)(PED)  
Our File No. 080019

Dear Judge Karas:

We represent the defendants in the above-referenced matter. I write in accord with Your Honor's Order directing defendants to respond to Mr. Russo's February 10, 2011 letter.

Defendants were not aware of Mr. Russo's recent arrest within Wallkill Correctional Facility. Defendants have no knowledge of the facts underlying this incident or of any charges filed against Mr. Russo. While Mr. Russo has expressed concern that he will not have access to his legal work, defendants respectfully submit that there is currently no action required on the above-referenced matter, pending a decision on the parties' motions for summary judgment. As the motions were fully submitted in December 2010, defendants respectfully submit that plaintiff should not be permitted to submit additional papers.

Thank you for your attention herein.

Respectfully submitted,

SOKOLOFF STERN LLP

*Kiera J. Meehan*

KIERA J. MEEHAN

cc: Antonino C. Russo  
(05-A-5228)  
Wallkill Correctional Facility  
50 McKendrick Road  
P.O. Box G  
Wallkill, NY 12589

*The Clerk of the Court is  
respectfully requested to docket this  
letter.*

*so ordered.*

*AK MAK*  
*3/4/11*